

REMARKS

In paragraph 2 of the Office Action, claims 1, 2, 6, 7, 11, 12, 16 and 17 were rejected under 35 U.S.C. §102(b) as anticipated by Melvill and in paragraph 4 of the Office Action, claims 3-5, 8-10, 13-15 and 18-20 were rejected under 35 U.S.C. §103(a).

Reconsideration is respectfully requested.

Claims 1 and 6 have been canceled and are no longer at issue. The Melvill patent describes the formation of sheets 17 with packing elements 16. This is shown in the attached Fig. A where a pair of packing elements 16-1 are positioned opposite to an inclined packing element 16-2 which form a first sheet 17-1 with another pair of inclined packing elements 16-3 and an oppositely positioned inclined packing element 16-4 which form a second sheet 17-2. The packing elements 16-1 and 16-2 are welded together at junction 18 and the packing elements 16-3 and 16-4 are likewise welded at junction 18. The third and subsequent sheets 17 are formed in the same manner as shown in Fig. 6 of Melvill to form a liquid air contact column.

When the Melvill structure is compared to the structure defined by claim 2 or claim 7, it is apparent that the Melvill sheets are welded within the sheet but are not welded to an adjacent sheet. In Melvill, only two line elements are welded together and not three or four as required by Melvill. Accordingly, even if welding is considered substantially the same as "binding" according to the Office Action, Melvill fails to disclose or

suggest that three or four line elements may be bound together as pointed out in the present claims.

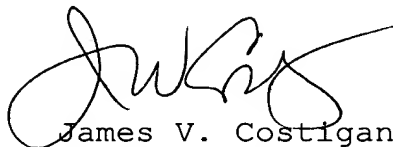
More importantly, it is apparent from Fig. 6 of Melvill, that Melvill fails to disclose or suggest the fundamental structure of the present invention, namely the basic combination of two triangular or quadruple pyramids having a common bottom surface and apexes disposed in opposite directions. The claimed construction of the present application allows for the more complete and uniform distribution of liquid as compared to Melvill device which relies on the presence of a plurality of sheets 17 which must be laid in parallel without substantial communication between adjacent respective sheets.

For these reasons, it is believed that the present invention, as defined by the claims, is distinguishable from the Melvill patent.

In response to the rejection of the claims for double patenting, a terminal disclaimer of the term of any patent granted on the present application which extends past the expiration date of either U.S. 6,481,325 B1 or U.S. 6,536,323 B1. Authorization is given to charge any required fee for the terminal disclaimer to Deposit Account No. 08-1540

An early and favorable action is earnestly solicited.

Respectfully submitted,



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